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ABSTRACT

The current legal standing of homosexual parents seeking custody of their children remains precarious. Courts determine custody and visitation on the basis of the "best interests of the child." Current judicial rulings reflect a bias against awarding custody or granting visitation rights to homosexual parents, favoring the heterosexual parent or heterosexual relative of the child(ren). Should the sexual orientation of the parent play a part in the determination of custody or visitation in order to protect the child? This meta-analysis summarizes the available quantitative literature comparing heterosexual and homosexual parents as well as the children of those parents on a variety of measures. Data were generated by the child or by an adult (parent or teacher). The analysis included examination of parenting practices, emotional well-being of the child as well as the sexual orientation of the child. Results demonstrate no differences on any measures between the heterosexual and homosexual parents or children of those parents. Data fail to support the continuation of a bias against homosexual parents by the courts. The paper includes two tables of data: one which compares children's classroom behaviors, and a second which compares children on the basis of IQ and other measures of intelligence; and a list of court cases. Contains 70 references. (Author/RS)

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COMPARING THE IMPACT OF
HOMOSEXUAL AND HETEROSEXUAL PARENTS ON CHILDREN:
META-ANALYSIS OF EXISTING RESEARCH

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ABSTRACT

COMPARING THE IMPACT OF
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META-ANALYSIS OF EXISTING RESEARCH

The current legal standing of homosexual parents seeking custody of their children remains precarious. Courts determine custody and visitation on the basis of the "best interests of the child." Current judicial rulings reflect a bias against awarding custody or granting visitation rights to homosexual parents, favoring the heterosexual parent or heterosexual relative of the child(ren). Should the sexual orientation of the parent play a part in the determination of custody or visitation in order to protect the child? This meta-analysis summarizes the available quantitative literature comparing heterosexual and homosexual parents as well as the children of those parents on a variety of measures. The analyses included examination of parenting practices, emotional well-being of the child as well as the sexual orientation of the child. The results demonstrate no differences on any measures between the heterosexual and homosexual parents or children of those parents. The data fail to support the continuation of a bias against homosexual parents by the courts.

The rights and responsibilities of parents to care for their child(ren) represents a fundamental conception of liberty under current law. Parents exercise a largely unhindered ability to determine most aspects of their children's upbringing. The courts generally respect the rights of parents to make many determinations in the name of a child. Parental perspectives (religious, political, moral, and ethical) become the basis for many of the decisions affecting the children's lives. Justice White in *Griswold v. Connecticut* (1964) said, "the Fourteenth Amendment includes the right to 'marry, establish a home, and bring up children' " (p. 482). This was an extension of the earlier logic in *Meyer v. State of Nebraska* (1925) that argued for the liberty, "to direct the upbringing and education of children" (p. 399). The rights of a parent to bring up a child represents a well respected right within our society (*Bennett v. Clemens*, 1973).

As with most laws and rights, there exists limitations and exceptions. Judicial intervention regarding custodial decisions illustrates a legal system that intervenes to protect the "best interests" of the child (*Ketron v. Aguirre*, 1985; *Warren v. Warren*, 1980). During a divorce, in many cases, the court must decide issues of custody and visitation. Current court cases reveals that homosexual parents are denied custody of their children on the basis of their sexual orientation. This paper considers and synthesizes the relevant social scientific data as a basis for any denial of custody or visitation.

A large number of children have at least one homosexual parent. Two surveys (*Bell & Weinberg*, 1978; *Jay & Young*, 1979) find about 20% of homosexual women and 10% of gay men have children. The numerical estimates number in the low millions for the number of children that have

at least one gay parent (Bozett, 1987; Gottman, 1990). Whatever the exact number, the quantity of children effected by judicial decision making on this issue is large.

The paper proceeds in two stages: (a) exploring the relevance of social scientific evidence to particular judicial issues, and (b) examining the available scientific evidence.

DETERMINING CUSTODY FOR A CHILD

Theoretically, the courts should make determinations of "the best interests of the child" consistent with placing children in the healthiest environment for their psychological and sociological development. Courts examine which caretaker (usually biological parent) provides the most nurturing environment for the child. Therefore, the courts when considering custody and visitation disputes examine the implications of potential custody arrangements.

The determination of the "best interests" assumes that the biological parent(s) represents the "best interests" of the child. The biological parent(s) generally assumes primary custodial responsibility. This presumption changes if the state, or some other party, provides evidence that the biological parents create a potentially harmful environment. For example, evidence of child molestation by the parents would indicate the best interests of the child are not with the biological parents. In the absence of a reason, courts prefer to place children with their biological parents/relatives. The court during a hearing listens to relevant evidence in determining the suitability of the alternative environments for the child(ren).

In the case of a divorce, the court must decide between parents competing for the right to custody (joint or sole) and/or visitation

schedules. The court possesses the ability to consider several options and variations of those options. The court's guiding principle remains to determine what options are in the "best interests" of the child(ren).

PARENTAL HOMOSEXUALITY AND CUSTODY

A homosexual parent raises the issue can be raised whether this "status" of the parent constitutes the creation of an environment contrary to the best interests of the child. The legal standards are changing, Schulenburg (1985) pointed out, "Ten years ago, by one lawyer's estimate, you had no better than a 10% chance of gaining custody if homosexuality was the main issue. Today, in some areas of the country, you have an even chance" (p. 124). However, such a view is probably overly optimistic, in Missouri an appellate court in *SEG v. RAG* (1987) pointed out that, "In the few cases in our state dealing directly with the problem of a homosexual parent seeking custody, all courts have awarded custody to the non-homosexual parent, and restricted the homosexual parent's visitation rights, again relying on the impact of the child" (p. 167). The logic of the court in this case was based on two arguments: (1) that they wished to "protect the children from peer pressure, teasing, and possible ostracizing they may encounter as a result of the 'alternative life style' their mother has chosen" (p. 166) and (2) that homosexual behavior, "imposes her preference upon her children and her community" (p. 167). The argument assumes that "homosexual lifestyles" represent a fundamental threat to the well-being of children, an argument echoed in many court decisions (*Bark v. Bark*, 1985; *D.H. v. J.H.*, 1981; *Hall v. Hall*, 1980; *Jacobson v. Jacobson*, 1981; *M.J.P. v. J.G.P.*, 1982; *O v. O*, 1975; *Roberts v. Roberts*, 1975; *Scarlett v. Scarlett*, 1978; *Smith v. Smith*, 1979; *Thigpen v. Carpenter*, 1987).

The courts expressed negative opinions about the suitability of homosexual parents by mandating two options: (a) denying custody and/or visitation, and (b) placing conditions on custody and/or visitation. The homosexual parent is placed in a Catch-22 situation during a divorce custody proceeding. Failure to acknowledge the homosexual practices can negate a grant of custody or visitation. In the case of Dailey v. Dailey (1982) the court held that, "evidence that mother after divorce and gaining custody of minor child was living as lesbian and testimony of doctors was sufficient to show change of circumstances which would warrant change in the custody of child....(weekend visitation) could provide nothing but harmful effects on child's life in the future" (p. 391). Failure to acknowledge the homosexual status of the parent leaves the future unclear as Basile (1974) indicates, "the fact that custody orders are always "open" is, of course, particularly perilous for a Lesbian mother if she fails to acknowledge her Lesbianism at the initial proceeding. A "change in circumstances" has been held to include facts not "within the knowledge or contemplation" of the courts at the time of the original disposition. Husbands, grandparents, social workers, or police that discover the mother is a Lesbian even after she has gained custody may protest to the court and seek removal of the children" (p. 13). The homosexual parent becomes caught in a bind, admitting his or her homosexuality to the court risks losing the children immediately, failure to admit upfront permits the possibility of removal later.

Denial of custody or visitation simply means that the child(ren) are not permitted access to the homosexual parent. The example of the earlier court case from Missouri indicates one jurisdiction that would routinely deny a homosexual parent custody. Even when granting custody, courts

often provide a strong justification in the court case permitting such custody. An example of a court granting custody to a lesbian occurred in *M.P v. S.P.* (1979). The court found that the mother, "never displayed any sexual behavior in the presence of her children, and that she refrains from any demonstrations of affection toward other women when the girls are present. Moreover, she is not a member of any homosexual organizations" (p1259). Basically, the court is stating that the mother's sexual practices are clearly masked/hidden from her children. The cause for the divorce in this case was sexual cruelty by the father against the mother. The appellate court in this case stated, "Nor may we disregard the appalling character of the sexual onslaughts carried out during their marriage by plaintiff (husband) upon defendant (wife) for which the divorce was granted. Without detailing his singular conduct or the variety of foreign objects he introduced into her person, we acknowledge our willingness to understand how these could well have stifled forever her initial efforts to enjoy heterosexual love in a conventional relationship" (p.1262-1263). The court is arguing that the mother's lesbianism is forgivable given her past and therefore should not be held against her during the custody hearing. In another case the court held that the lesbian mother was wrongfully deprived of her children because of failure to provide counsel (*People v. Brown*, 1973). The courts in *Whitehead v. Black* (1976) gave a lesbian mother custody, noting about the father, "He has demonstrated in the past a lack of concern for the welfare of his children through failure to provide for their support as ordered by the Georgia court. The evidence revealed episodes of violent behavior including threats of physical violence" (p. 2594). Finally, the courts maintained custody for lesbian mothers noting about the appeal "At the

outset we emphasize that these cases do not involve the question of whether it was proper to award custody of the children to lesbian mothers" (Schuster v. Schuster, 1978, p. 132). Even when courts grant custody to homosexual parents the actions seem begrudging and limited, often because the heterosexual parent was so clearly unfit. And when granting the custody the courts often include a warning about the possibility of changing these orders as circumstances permit (Doe v. Doe, 1981; Doe v. Doe, 1983).

Conditional custody or visitation creates a series of requirements for the parent to maintain custody or visitation of the child(ren) (see Ashling v. Ashling, 1979, for an exception to this). The conditional features operate both as conditions for visitation and custody but they also serve as a basis to judge the suitability for any custody or visitation as well. The requirements typically involve the parent agreeing not to have a lover present when the children are in the home (A. v. A., 1973; Irish v. Irish, 1981; J. L. H. v. D. J. P., 1982; Re J. S. & C., 1974; SEG v. RAG, 1987; Woodruff v. Woodruff, 1979), not to have any known homosexuals present when the children are in the home (A v. A., 1973; J.L.P. v. D.J.P., 1982; Woodruff v. Woodruff, 1979), and for the parent not to engage in any political activity relating to homosexuality including joining known homosexual organizations (In Re J. S. & C., 1974; M.P. v. S.P., 1979) attending political rallies for gay rights (In Re J. S. & C., 1974), attending churches that openly embrace homosexual behavior (J.L.P. v. D.J.P., 1982), limiting visits to daytime hours only (In Re J. S. & C., 1974; J.L.P. c. D.J.P., 1982), or requiring adult supervision for visitations (A. v. A., 1973). Rivera (1979) summarizes the effect of the kinds of restrictions imposed in California have had, "the homosexual

parent is allowed to see his or her own child only in the company of another adult, usually a hostile relative...future visitations or custody rights are predicated on either a 'cure' or 'giving up' of the parent's homosexuality. Such restrictions undoubtedly impair the parent's ability to build or maintain a truly meaningful relationship with a child. Moreover, conditioning the parent's right to see his or her child upon a fundamental change in the parent's very nature, leaves the parent with no real alternative" (p. 891). Summaries of conditions and the legal status of homosexual parents are available (Brownstone, 1980; Hunter & Polikoff, 1976; Rivera, 1979; Suseoff, 1985). The previous section explains how the law limits the rights of homosexual parents, the next section gives the reasons why such limitations and denial of custody exist.

In general, justifications for limitations of parental rights comes from two arguments: (a) the "criminal" environment of the homosexual parent to which the children are exposed, and (b) the negative impact of a homosexual parent on the development of the child. The first argument involves the legal "status" of the homosexual within society. The second argument assumes that there exists a connection between the sexual practices of the parent and a negative impact on the development of child.

The criminal environmental issues deal with the fact that many jurisdictions consider homosexual behavior a violation of criminal law. The law requires restricting a homosexual parent's custody or visitation to protect the child from a criminal environment. A practicing homosexual, depending on the local statute, engages in ongoing criminal activity (sodomy). The courts believe that removal of a child or denial of custody or visitation becomes justified if there exists evidence that one or both parents routinely engage in criminal behavior. If

homosexuality constitutes a crime, the actions of the parent fall within this framework. The Supreme Court in *Bowers v. Hardwick* (1986) ruled that statutes making homosexuality illegal were constitutional. The court ruled that the, "Federal Constitution does not confer fundamental right upon homosexuals to engage in sodomy (p. 2841)," and that the "presumed belief of majority of Georgia's electorate that homosexual sodomy is immoral and unacceptable provided a rational basis for Georgia's sodomy statute (p. 2841)." Several courts have expressed that violations of laws governing sexual behavior justify the removal of children from heterosexual parents (*Beck v. Beck*, 1977; *Brown v. Brown*, 1977). Applying the same standard to homosexuals would require removal the child as well (it should be noted that divorced heterosexuals can marry, homosexuals cannot).

The bottomline for the courts comes from the fact that the practice of homosexuality constitutes a criminal offense. Courts view awarding custody to a parent who routinely engages in criminal acts as undesirable and a basis for denial of custody. In *Re J. S. & C.*, the court states "a homosexual who openly advocates violations of the New Jersey statutes forbidding sodomy and related statutes, may also be restricted" (p97). A Virginia court notes that the homosexual father's conduct is a class six felony and therefore the conditions for the child are "unlawful" (*Roe v. Roe*, 1985, p694). Finally, an Arkansas court points out (*Thigpen v. Carpenter*, 1987), "The people of this state have declared through legislative action, that sodomy is immoral, unacceptable, and criminal conduct. This clear declaration of public policy is certainly one that a chancellor (judge) may note and consider in child custody cases where, as here, the custodial parent has declared her fixed determination to

continue that course of illegal conduct for the rest of her life, in a home in which the children also reside" (p. 514). The argument advanced fails to directly consider the impact on the child, instead the courts use a judicial standard that assumes that criminal environments do not constitute safe and stable situations to raise children. However, the courts argument contrasts with the second standard which requires the demonstration of a negative impact on the child.

The second standard deals with the child's socialization. In specific, this includes the potential impact of exposure to a homosexual parent. The court is concerned that the child will adopt the sexual orientation of the parent, suffer from confusion or uncertainty about his or her sexual identity, or be ostracized by the community. The question is whether the parent, by virtue of being homosexual, constitutes a factor contrary to the best interests of the child by creating an unfit environment. Under some state statutes or appellate case law, the court is forbidden to consider the parent's sexual orientation as the sole basis for custody. However, the courts routinely introduce the issue if the court determines that the homosexuality of the parents becomes relevant in determining the "best interests" of the child (D.H. v. J.H., 1981; Kallas v. Kallas, 1980). Rivera points out the normal standard involves whether the sexual practices of the parent become relevant in "determining the impact of the parent's lifestyle upon the minor children" (p. 900). The courts can therefore address the issue whenever the judge deems the issue relevant. Judges come in with biases and can manifest themselves in the conduct of a trial. Rivera reports the case of a judge in a case that, "illustrates a common occurrence in lesbian mother cases. After being examined by counsel for both sides. Dr. Green was examined by the

judge who asked how 'the sex act between lesbians (was) accomplished'" (p. 898). In the state of Washington a judge (Cabalquinto v. Cabalquinto, 1983) made the statement during trial, "The father frankly states he wants his boy to choose the kind of life he wants to live. Well, in my view a child should be led in the way of heterosexual preferences, not be tolerant of this thing. God Almighty made the two sexes not only to enjoy, but to perpetuate the human race." (p. 890). The appellate court remanded but did not overturn the custody decision in this case, despite the obvious prejudice of the judge and a state statute forbidding consideration of a parent's sexual preference as a basis for custody. The gay parent comes into often a very hostile courtroom environment that believes homosexuality represents a threat to the child.

The issue of impact of the homosexual parent deals on two levels: (a) community impact, and (b) parent/child relationship. The community issues deal with the nature of the child within the community and how the child of a homosexual parent would be received by the other members of the community (Jacobson v. Jacobson, 1981; SEG v RAG, 1987). In Thigpen v. Carpenter (1987) the court worried that, "homosexuality is generally socially unacceptable, and the children could be exposed to ridicule and teasing" (p. 514). In Kentucky, a court mentioned the "social stigma" the children would bear (S. v. S., 1980, p65). At this point there appears to be little, if any, scientific literature directly bearing on this question so the nature of any such consequences remain unknown. The courts act to protect the child from a possible threat that is unverified and unknown.

Those community reactions probably differ little from the influences on a child whose race, religion, or occupation significantly differ in some aspect from the rest of the community. One justice argued in dissent

that the harm seems to come from that status of the parent as homosexual not from the homosexual parent as the custodial parent (M.P. vs S.P., 1979). In other words, the child remains the target of teasing and abuse regardless of which parent has custody, it is the status of the parent, even if the parent is absent that remains the issue, not the particular issues surrounding custody. The court stated, "there is little to gain by creating an artificial world where the children may dream that life is different than it is" (p. 1262). The courts trying to protect the child from the community ignores the reality of the divorce and the parent's sexual preference.

The courts often state the belief the homosexual parents create an immoral environment harmful to the child. For example, the court accepted the statement of a witness in the M.J.P v. J.G.P (1982) decision that said the child, "will have to make a 'choice between his mother and society'" (p 969). The homosexual parent, according to the court, places the child in a position of having to defend the actions of a deviant parent whose sexual behaviors are inconsistent with the norms of society. The courts express concern about the status of homosexuals within society, one court notes, "Though perhaps authorities agree that lesbianism is a state not necessarily connected with mental illness, it does denote 'deviant behavior,' the court concludes, which presently is adversely affecting the two sons" (Smith v. Smith, 1977, p. 2692-2693). The court acts on the basis of belief about the impact on the child rather than any hard evidence. Rivera (1979) points out a number of cases where despite the evidence favoring the homosexual parent the courts acted on the basis of the "possible" harms to the child.

The focus of the current meta-analysis addresses the nature of the

parental impact on the child. Does the homosexuality of a parent demonstrate any deleterious influence on the child. To label all homosexual parents as harmful treats the homosexual designation as a class of persons and all members of that class should receive the same treatment. The impact of accepting such a designation reduces the arguments to whether or not a parent is a homosexual and ignores any of the particulars of the specific parent/child relationship and their parenting skills. However, such arguments about the nature of the impact of the parent constitute empirical arguments, accessible and testable using scientific methods.

ROLE OF SOCIAL SCIENCE

Social science becomes used by the courts when arguing about the impact of some social designation. The distinction between social and clinical scientific practices becomes important in understanding the nature and relevance of the claims. Social scientists consider the impact of associations at the group level, whether for example, males self-disclose more than females (Dindia & Allen, 1992). The issues do not consider whether any particular male or female discloses a certain level but rather the general case across of group of individuals. This contrasts with clinical psychology which addresses the issues surrounding a particular person and that person's particular mental or social status.

The distinction between clinical and social practices impacts on the issues surrounding child custody decisions. For example, suppose an accusation exists that a parent, John or Joan, physically abuses a child. The argument that a particular parent deserves denial of custody hinges on providing an ability to meet one of two standards: (a) proving that the class of actions are contrary to the best interests of the child, and/or

(b) proving that in the particular circumstances the actions are harmful to the child. Clinical psychologists generally address the second action, whether the particular circumstances warrant a particular judgment. The clinician handles the particular case at hand. However, the social scientist deals with the first case, the general claim. In general, do such actions (physical abuse of the child) act contrary to the "best" interests of the child. Most people would opt with option A in this case, that there exists an obvious harm to the child when any parent practices physical abuse. Accepting this claim would create no need to prove that for this particular child the abuse constitutes a harm.

To make this determination (that physical abuse constitutes a harm to the child) the social scientist need not know any of the details of the particular case, only the general designations to render a scientific statement. This is not to argue that unique cases do not exist or that persons do not deserve treatment as individuals, the conclusions only designate the impact of general tendencies. The conclusion that all homosexual parents are unfit represents a social not a clinical judgment. The statement assumes no knowledge about the circumstances of any particular parent/child relationship but treats all such relationships as part of a class of relationships with an expected outcome. The acceptance of such a standard by a court means that only aspect of the decision is to demonstrate that the parent falls within that class. Once established, the parent takes all responsibility for the harm attributed to that class.

The social scientist admits that not all such relationships generate the specified outcome. Individual variability and contrariness remains. The argument made by the courts about homosexual parents is that, on average, there exists a strong tendency for negative outcomes. To argue

that a homosexual parent constitutes a harm to a child would indicate that, by definition, homosexual parents generate some consistent and identifiable negative outcome on the child.

The question becomes a judgment about the nature of the actions involved, is the parent to be judged as an individual or as a member of a class. The demonstration of the harm of that class member often relies on social scientific evidence collected across hundreds, sometimes thousands of cases. Courts often consider and cite such social scientific evidence as part of the justification for custody decisions (*M.J.P. v. J.G.P.*, 1982; *SEG v. RAG*, 1987). The court in *S. v. S.* (1980) based the decision on the argument that the parental modeling would create problems for the child. The court stated, "there is excellent scientific evidence on the effects of parental modeling on children. Speculating from such data, it is reasonable to suggest that Shannon (the daughter) may have difficulties in achieving a fulfilling heterosexual identity of her own in the future" (p. 66). The court takes the available scientific evidence and creates a conclusion.

This report considers what the accumulation of available evidence indicates. Does the existing evidence indicate that homosexual parents represent a series of parenting behaviors that are contrary to the best interests of the child? The acceptance by the courts of scientific evidence indicates the ability to change judicial decisionmaking.

The methodological technique this paper uses is meta-analysis. Meta-analysis represents a technique of quantitatively summarizing existing literature on a defined topic. The goal of the method is to establish claims that meet the four standards of a generalized scientific knowledge claims (Allen & Preiss, 1993): (a) lack of bias, (b) stability,

(c) replicability, and (d) contextual irrelevance. Demonstrating lack of bias comes from the ability to demonstrate that the epistemological, political, or theoretical perspective of the data collector or measurement device do not impact on the associations observed. In other words, any competent investigator using any valid measurement device should reach the same conclusions, to within sampling error. Stability means that such findings do not vary with time or other methodological peculiarities. Stability simply indicates that the finding, to within sampling error, will not differ based on time, location, or sample. Replicability argues that any finding remains capable of replication by another scientist. Contextual irrelevance indicates that the theoretical explanations offer sufficient and complete details on the sources of variation that other factors need not be considered. This does not argue that context is unimportant, instead the standard argues that context becomes a theoretical issue and the ability of a theory to generate complete and consistent results accounts for context. All of these issues represent empirical issues capable of testing.

Meta-analysis represents a method of accumulating and assessing the ability to permit a generalized knowledge claim. The fundamental assumption behind meta-analysis is a reduction of Type II error by increasing sample size (Allen, Hunter, & Donohue, 1989). The differences observed between individual studies could be a function of sampling error rather than any systematic difference. Meta-analysis takes the results of available investigations and converts the information to a common metric. The converted results are then averaged to produce an estimate of the population parameter across all the investigations. The net effect is a result that has the power of the combined sample across all the

investigations.

META-ANALYSIS OF EXISTING EVIDENCE

Literature Review Description

A computer and/or manual search of the Psychelit and Sociological Abstracts was conducted using combinations of the key words, "homosexual", "parent", and "lesbian" to produce information (cutoff date, January, 1994). All reference sections of manuscripts obtained as a result of this and other procedures had their were searched for additional information. In addition, several relevant organizations provided bibliographic information (Gay & Lesbian Parents Coalition International and the Lesbian Mother's National Defense Fund). The entire set of the Journal of Homosexuality was manually searched for pertinent articles. Relevant bibliographies (Hitchens & Thomas, 1983; Maggiore, 1988; 1992; Parker, 1971; 1977; 1985; Sadler, 1988; Snyder & Gordon, 1984; Waterman, 1992; Weinberg & Bell, 1972) and literature reviews (Bozett, 1987; 1988a; 1989; Cramer, 1986; Kirkpatrick, 1987; Kleber, Howell, & Tibbits-Kleber, 1992; Nungesser, 1980; Walters & Stinnett, 1971) were searched for additional information.

For inclusion in this meta-analysis a manuscript contained the following information:

(a) a comparison of children or parents of children in the custody of homosexual and heterosexual parents on some measure of development, interaction, or socialization,

(b) statistical information sufficient for the calculation of an effect size.

Studies using qualitative data (Bozett, 1979; 1980; 1981; 1982; 1988b; Kuba, 1981; Miller, 1979) or nonquantitative clinical data (Lewis, 1980;

Pennington, 1987; Weeks, Derdeyn, & Langman, 1975) were excluded from this analysis. The following manuscript (an unpublished disseration) was unavailable for inspection (using interlibrary loan) and may contain relevant data (Paul, 1986). All other manuscripts identified were available and included in this analysis if the study met the inclusion conditions.

Some manuscripts contained data previously published and therefore were only entered once into the analysis (Gottman, 1990; Green, Mandel, Hotvedt, Gray, & Smith, 1986; Hoefffer, 1979; 1981; Hotvedt & Mandel, 1982; Kirkpatrick, Smith, & Roy, 1981; Mandel & Hotvedt, 1980; Miller, Jacobsen, & Bigner, 1981; Mucklow, 1979; Mucklow & Phelan, 1979; Schwartz, 1985; Smith, 1982). The eventual result obtained 17 manuscripts with usable data (Bigner & Jacobsen, 1989; 1992; Golombek, Spencer, & Rutter, 1983; Green, 1978; Harris & Turner, 1986; Hill, 1981; Hoefffer, 1981; Huggins, 1989; Kirkpatrick, Smith, & Roy, 1981; Kveskin & Cook, 1982; Mucklow, 1978; Ostrow, 1978; Puryear, 1983; Rand, Graham, Rawlings, 1982; Rees, 1977; Scallen, 1981; Schwartz, 1985).

Coding of Studies

Given the relatively small number of studies the analysis only considered two codes for data in the report: (a) perspective of the data, and (b) conceptual issues measured.

The perspective of the data considers whether the information comes from: (a) adult sources, or (b) child reports. The issue is whether the data was generated by the child or and adult (parent or teacher). The child data involves some type of self-report measure. The parent or teacher data constitutes an observation of the child or a self-report of one's own behavior and/or attitude.

The issues measured differ by perspective. That is, each perspective considers slightly different domains. Parental data can be divided into four categories: (a) Parent's rating of child-parent interaction style (Iowa Parent Behavior Inventory, Adult Responses to Child Behavior, Child Rearing Practices Questionnaire, Sexual Training of Children, Adjective Checklist), (b) parental attitude about sexual development (Attitudes Toward Fathering, toy preference, Bem's Sex Role Inventory, Parent Attitudes Research Instrument, Induction Parenting Style, Power Asserting Parenting Style, Father/Daughter Practices Report, Kinsey Rating Scale), (c) rating of the child's level of satisfaction (Peer Quality Relationships, Difficulty), and (d) teacher rating of the child's behavior at school (Peer Quality Relationships, Degree of Mental Disorder, Difficulty, Classroom Behavior Scale).

Children rated one of three possible types of measures: (a) sexual orientation (identifying sexual preference, erotic fantasies, vocational aspiration, toy preference, drawing of peers, drawing of self, play preferences, sex role inventory), (b) satisfaction with life (degree of mental disorder, family relationships, friendships, Coopersmith Self-Esteem Inventory, Locus of Control, California Psychological Inventory, Holtzman Inkblot Technique, Structured doll technique), and (c) cognitive (IQ, Wechsler Preschool and Primary School Scale of Intelligence, Wechsler Intelligence Scale for Children) and moral (Kohlberg) development.

Statistical Analysis

Statistical analysis was conducted using the metric of the correlation coefficient. The correlation coefficient was selected because of the ease within which statistical manipulations and corrections can be computed.

The method of meta-analysis used was the variance-centered technique (Bangert-Drowns, 1987) developed by Hunter and Schmidt (1990). The technique provides for the calculation of a weighted average correlation and then a test of homogeneity using a chi-square statistic. The non-significant chi-square indicates a homogeneous set of findings. Homogeneity among correlations indicates that the average correlation represents an average of correlations that do not demonstrate any inconsistency greater than one would expect due to sampling error. Heterogeneity (indicated by a significant chi-square) indicates that the level of variance among the correlations is larger than one would attribute to random chance.

Heterogeneity among the correlations indicates the probable existence of a moderator variable that is causing the divergence from a random model. In the case of heterogeneous results, the use of moderator coding can assist in identifying the source of the variability. Such variability assists in providing support for theoretical arguments that assume the existence of various moderating or interaction features. The lack of the a moderator may work against theories that assume inconsistent results across types of conditions.

The procedures used in this report have only one entry per study per condition. However, some studies contained multiple entries for various moderator categories. For example, some studies measured both parents and children in the same study. This means that technically the assumptions of statistical independence may be violated. However, Tracz (1985) in a monte carlo simulation indicates that the mean effect and variance of the mean effect remain unaffected by the violation of independence. The averaging of correlations is robust to such violations.

The procedure has each study's data transformed to a correlation. The individual correlations then become averaged to estimate a population parameter. That parameter becomes the basis of the homogeneity test. A non-significant chi-square indicates the lack of a moderator variable and the average estimate can be treated as the best estimate of the population parameter across the studies.

Results

The results consider the perspective (child or adult) generating the data. The overall results for the adult data appear in Table 1 and the child data appear in Table 2. A positive direction indicates the results favor the heterosexual parent. A negative correlation indicates the results favor the homosexual parent. If there exists no difference between groups, then the correlation should be close to zero.

Adult Data

The overall average correlation for the adult data is negative and small, (ave $r = -.051$, $k=12$, $N=589$) and homogeneous (Chi-square = 0.0, $p > .05$). The negative sign for the correlation indicates that the average correlation favors the homosexual parent slightly.

The examination of particular measures demonstrates a similar pattern. The data on the quality of the parent child interaction demonstrates a negative correlation (favoring homosexual parent) (ave $r = -.119$, $k=5$, $N=284$) and homogeneous (Chi-square = 0.0, $p > .05$). The data comparing the attitude of the parent on sex role issues demonstrates a small positive average correlation (ave $r = .012$, $k=7$, $N=353$) generated from a homogeneous sample of correlations (Chi-square = 0.0, $p > .05$). This correlation indicates that the net effect is virtually zero, no difference between homosexual and heterosexual parents. The data on the

parent's rating of the child indicates a small negative correlation (ave $r = -.079$, $k=3$, $N=159$) generated from a homogeneous sample of correlations (Chi-square = 5.72, $p > .05$). These results indicate that the homosexual parents see their children as slightly happier than the heterosexual parents. Finally, the data from teacher's ratings of children indicate a small positive correlation (ave $r = .064$, $k=3$, $N=137$) generated from a homogeneous sample of correlations (Chi-square = 0.0, $p > .05$).

Basically, the results indicate virtually no difference between homosexual and heterosexual parents when taken together or individually. The results do not support the assumption of widespread differences between parents on the basis of sexual orientation.

Child Data

The overall average correlation from the data collected from children was virtually zero (ave $r = .003$, $k=11$, $N=546$) generated from a homogeneous sample of correlations (Chi-square = 0.0, $p > .05$). The zero correlation supports those arguing for no difference between heterosexual and homosexual parents.

The next step involved considering the three subtype of measurements: (a) sexual orientation, (b) satisfaction with life, and (c) cognitive and moral development. The average correlation from the data collected from children considering sexual orientation was virtually zero (ave $r = .004$, $k=9$, $N=461$) generated from a homogeneous sample of correlations (Chi-square = 0.0, $p > .05$). The average correlation considering the satisfaction with life from the data collected from children was virtually zero (ave $r = -.011$, $k=7$, $N=386$) generated from a homogeneous sample of correlations (Chi-square = 0.0, $p > .05$). The average correlation from the data collected from children examining moral and cognitive development

was slightly negative (ave $r = -.058$, $k=3$, $N=178$) generated from a homogeneous sample of correlations (Chi-square = 0.0, $p > .05$).

This section compares the scores separately for boys and girls. However, there existed only enough data for comparisons on the sexual orientation and lifestyle measures. The data on other measures did not provide enough separate estimates to permit an analysis.

The average correlation from the data collected from boys on sexual orientation (ave $r = .008$, $k=4$, $N=132$) and satisfaction with lifestyle (ave $r = -.017$, $k=4$, $N=110$) was virtually zero and came from homogeneous samples of correlations (Chi-square = 0.0, $p > .05$). The average correlation from the data collected from girls on sexual orientation (ave $r = .009$, $k=4$, $N=134$) and satisfaction with lifestyle (ave $r = .059$, $k=4$, $N=105$) was virtually zero and came from homogeneous samples of correlations (Chi-square = 0.0, $p > .05$).

The data collected from the perspective of the child indicates no difference between homosexual and heterosexual parents. No measure indicated any measureable or observable difference on the basis of the sexual orientation of the parent.

Conclusions

The results of the meta-analysis demonstrate little difference between homosexual and heterosexual parents on all measures contained within this study. Whether the data is measured from the perspective of the parent or teacher the child no difference exists found between heterosexual parents and homosexual parents. The data support those arguing for a lack of impact on the basis of the sexual preference of the parent.

The limited data available may cause concern about the stability of the correlations and the confidence in the reported findings. Tables 1

and 2 provide the 99% confidence interval for the average correlations generated. The confidence intervals indicate that the possibility of major differences on the basis of a larger sample size appears small. The confidence intervals demonstrate the average correlations, even if at the maximum limits remain small. The possibility exists that future data could challenge the findings of this report.

Using Cohen's (1987) analysis for the power of statistics (the results are displayed in Table 1 and Table 2) indicate sufficient power to detect large or medium effects. The results show that all cells possess a very high ability (.90) to detect a large or medium effect. It is arguable whether or not a small effect would be enough to warrant judicial decision making. However, the high power to detect both large and medium effects indicates the probability of such an effect existing remains small.

A note must be made about the arguments surrounding the impact of the community on the child whose parent is a homosexual. The data on child satisfaction demonstrates no difference between the children. Should teasing and ostracism exist one would logically expect this to be found on those measures, it was not. Even if some degree of stigma exists, the impact is not reflected in the attitudes of the child.

The arguments about parental modeling of sexual preferences appear to be without merit. The data on sexual preference indicates no difference between the children of heterosexual or homosexual parents. While parents may provide important role model impacts on various features of child development, the impact does not seem to extend to the sexual orientation of the child. The failure to find an effect on sexual orientation indicates that the greatest fear of the courts receives no support.

IMPLICATIONS OF META-ANALYTIC FINDINGS FOR ISSUES

The findings of any particular meta-analysis must always be viewed with some degree of caution. Meta-analysis fails to offer conclusive proof for any claim, however the results of this report remain the best available summary of existing data. In the case of this particular finding, the results require a careful degree of consideration. First, the finding needs replication by some other person conducting a meta-analysis. Any technique depending on human beings requires replication in order to make certain that the results are accurate and valid. Replication would demonstrate that the bias of the authors did not generate the findings.

Second, the available data base for this summary is extremely limited. The larger the available data base the greater the ability to have confidence in the estimates generated. The limited data base within this investigation restricts the ability to make large and generalizable claims. Moderator variables require larger data sets to increase the power of detection, small sample sizes make the conduct of homogeneity tests subject to low power.

The question is how many studies must exist and with what level of variation in order to make a claim. At the current time such standards do not exist. However, prudence suggests that more studies in more states conducted with additional types of measures seem desirable and necessary. The results of this investigation point to the need for particular considerations in future research. Research needs to provide longitudinal data on the impact over time on child(ren) of homosexual parents. Longitudinal data, collected at various points in time would permit the assessment of the long term impact.

The 1993 decision by the Supreme Court in *Daubert V. Merrell Dow Pharmaceuticals*, leaves open the possibility of considering the evidence of meta-analysis as a solution for Type II error. More importantly, the decision permits the trial judge to admit evidence using accepted scientific practices. The practice under discussion in the case was the use of an unpublished meta-analysis. The court ruled that the dismissal of evidence, even if unpublished, cannot be simply assumed by the trial judge. The key in the decision was whether the technique used acceptable and established scientific procedures. The acceptability of meta-analysis as a means for resolving empirical disputes in the social sciences is an accomplished fact. The standard set forth by the court opens the door for using meta-analysis as a means of resolving empirical issues in civil cases. This meta-analysis provides some relevant evidence on issues of what factors should be routinely considered as a basis for decision in child custody cases.

This finding does not mean that homosexual parents will be granted custody by courts. The courts can choose to rule that homosexuality constitutes a criminal offense and practitioners are criminals undeserving of custody. However, the evidence, particularly if it grows with new studies, should provide some strong scientific support for those arguing that homosexual parents do not create home environments deleterious to their children.

A direction for future research should investigate day-to-day dynamics of family life and the interactions between children and parents that contribute to a healthy, nurturing environment. Courts should focus on the status of the individual homosexual parent in a clinical rather than a social sense. The argument made by Basile (1974, p18) makes a

great deal of sense, "The best interests of the child lay with a loving parent, not with a heterosexual parent or a homosexual parent."

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Table 1
Summary of Data from Adults

	Overall	Interaction	Attitude	Child	Teacher
k	12	5	7	3	3
N	589	284	353	159	137
ave r	-.051	-.119	.012	-.079	.064
chi-square	0.000	0.000	0.000	5.720	0.000
 99% Confidence Interval for Average r					
Upper limit	.06	-.03	.15	.13	.28
Lower limit	-.16	-.27	-.13	-.28	-.16
 Cohen's Power Estimate					
Large Effect	.99	.99	.99	.99	.99
Medium Effect	.99	.99	.99	.99	.98
Small Effect	.79	.54	.59	.35	.32

Table 2
Summary of Data from Children

	Overall	Sexual Overall	Orientation Boys	Girls	Lifestyle Overall	Boys	Girls	Cognitive
k	11	9	4	4	7	4	4	3
N	546	461	132	134	386	110	105	178
ave r	.003	.004	.008	.009	-.001	-.017	.059	-.058
chi-square	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
99% Confidence Interval for Average r								
Upper limit	.11	.12	.23	.23	.13	.23	.31	.14
Lower limit	-.11	-.12	-.21	-.21	-.13	-.26	-.19	-.25
Cohen's Power Estimate								
Large Effect	.99	.99	.99	.99	.99	.99	.99	.99
Medium Effect	.99	.99	.90	.90	.99	.80	.78	.90
Small Effect	.49	.42	.12	.12	.32	.10	.10	.12